

**Coalition for Juvenile Justice**  
**Friday, June 22, 2012**  
**Conference Opening**  
**Councilmember Valerie Ervin's Speech**

Welcome to Montgomery County Maryland! I want to thank Susan Kamp and the staff at the Coalition for Juvenile Justice for convening such an important conference for elected leaders at all levels of government. I am Valerie Ervin, and I serve as a member of the Montgomery County Council. Montgomery County is a community of one million residents and has enjoyed the distinction of being one of the wealthiest jurisdictions in the nation; however, our County has recently undergone tremendous demographic shifts and, like the rest of the country, has faced significant economic challenges. For example, approximately 32 percent (44,000) of County students qualify for Free and Reduced Meals (FARMs), a poverty indicator and a figure that may be higher due to underreporting. The County is now a majority/minority which brings both incredible challenges and opportunities. I am the first African American woman to ever serve on the Council, and I was

elected in 2006. I mention that because it tells a story all by itself and gives you a little insight about the County and the difficulty that these changes bring.

As the Chair of the County Council's Education Committee, I oversee a budget that comprises 52 percent of the \$4.5 billion dollar operating budget that we review, and I view juvenile justice issues through a different lens than most of my colleagues. My focus is on all children, and on ensuring a system that doesn't see some students as "throw-away" children. My focus is on early childhood education and early interventions, closing the achievement gap, access to high-quality, nutritious food in our schools and our community, after-school and recreation programs, summer job programs, and all we can do to keep our children on the path to educational achievement.

My path to public office began as a single mother raising two sons. When they were younger I had the opportunity to spend time

inside of school buildings. I remember when I first found out that in Montgomery County Public Schools a test was given to all second grade children. It was called the Global Screening Test. That one test would determine whose child would have access to the coveted “Gifted and Talented” label. In my youngest son’s elementary school 100 percent of the white children were designated with the “Gifted and Talented” label and everybody else’s child would go on through elementary school and beyond feeling like they were kids who would never measure up. In my opinion, it is a sin to tell our children that they will not be as successful as their peers at seven years of age. This type of labeling impacts the way children view themselves and it is a tragedy.

We already know that there is a direct correlation between the number of kids of color in the juvenile justice system and the drop out rate. There are also a disproportionate number of black and Latino students who are expelled and suspended and end up in

the system. Our data tells us that many of these kids who end up in the system are functionally illiterate as well.

We can do better, but we first have to care. We are living in a society that has turned its back on these kids and these issues because the people who make policy, the elected officials who could change the laws to prevent abuse and warehousing of a whole generation of children, usually have no connection to the communities whose children are most affected. The first step toward healing our communities and fixing this broken system is to have a national conversation about this topic, and it has to be multi-layered across every branch of government and in every community, in non-profits and foundations, churches and civic organizations. And we have to ask ourselves the question: How do we legislate caring?

In 2010-2011, the Maryland Department of Education reported that 20 percent or 2,200 (out of approximately 11,300)

County students entering kindergarten were not fully ready to learn; within this group, students with disabilities, those with limited English proficiency, and students from low-income families were most often unprepared.

Currently, MCPS and the Department of Health and Human Services (DHHS) provide approximately 2,950 pre-kindergarten slots for students below the state and federal poverty guidelines. This is not nearly enough, especially when we know that high-quality, pre-kindergarten programs set the stage for educational success.

Under my leadership, the County recently implemented a holistic pre-kindergarten program that emphasized access and quality. Pre-K education is a proven strategy for offsetting the challenges of poverty, language, disability, and mobility. Universal pre-kindergarten education increases cognitive abilities, high school graduation rates, health and welfare, and can lower rates of special education, teenage pregnancy, and crime. Our

program is a bi-lingual, full day, full year program with wrap-around services. We are hoping to expand this program over time because it has been hugely successful and has succeeded beyond our imagination.

Child care subsidies are also a critical piece to this puzzle. Most low-income and moderate income families cannot afford the cost of high-quality child care services for their children. The state's Purchase of Care (POC) and the County's Working Parents Assistance (WPA) programs are the two child care subsidy programs serving County residents. During our budget deliberations, we evaluated the significant impacts that the growing waiting lists for these subsidies have on children and their families. The waitlist for POC in Montgomery County was 1,904 children and WPA had 147 children on the waitlist. This was the result of a \$9 million reduction to the child care subsidy program in the state's budget.

This data compelled me to act to backfill these funding cuts with County dollars. I was able to secure \$800,000 in the County's Operating Budget to nearly eliminate the waiting list for these critical subsidies. While this will help families in Montgomery County, Maryland's POC program wait list (instituted on February 28, 2011), has ballooned to nearly 18,000 kids.

Several years ago I had the opportunity to hear a speech given by Kamala D. Harris, who is now the Attorney General of California. She described an innovative program that her county was using to reduce chronic truancy. This prompted me to request a study of the issue in Montgomery County. I discovered that the State of Maryland only tracks students who are absent more than 20 days during the school year. The evaluation showed that almost 9,800 students met this criteria in 2008. This number represented 5 percent of our elementary students; 8 percent of our middle school students and 11 percent of our high school students.

Truancy is often the first warning sign that something is going on at home with our children. Research studies clearly document the link between chronic truancy and low academic performance, substance abuse, and possible gang and criminal activity. In Maryland, parents and legal guardians can be prosecuted and fined if their children between the ages of 5 and 16 are not attending school.

MCPS does not collect demographic data on habitual truants; however, five measures that either contribute to or result from truancy suggest that habitually truant students are disproportionately black, Latino, male, enrolled in special education, receive free or reduced priced meals, or are English language learners.

This data compelled me to take action. I convened a partnership in Montgomery County with University of Baltimore



School of Law, the State's Attorney's Office, and Montgomery County Public Schools to pilot a truancy court program.

The key to the success of this program is the early stage in which children are identified as not attending school on a regular basis. The program targets students who have five to 20 unexcused absences during the prior semester of school. This therapeutic and non-punitive approach brings together a team in each school consisting of a volunteer District or Circuit Court judge or master, student from the School of Law, public school administrators and teachers and volunteers. This 10-week program is intended to be an early intervention to improve attendance by discovering the root causes of truancy and assisting students and their families with issues that impact attendance.

Again due to cuts at the federal level, I had to secure funding in the County's Operating Budget to keep this program alive for the next school year. Gloria Danzinger from the University of

Baltimore School of Law and State's Attorney John McCarthy and Assistant State's Attorney George Simms have been tremendous partners in the pilot program's success and are committed to helping grow the program in the future by tapping into the County Bar Association to recruit judges and attorneys to expand the program to additional school sites.

In closing, I want to talk about the impact of the recession on families who were already struggling to make ends meet. The topic of food and food security needs to be addressed in a significant way. We have to work together to ensure that children have enough healthy food to eat. This is a growing problem, and I have been working for six years to raise the issue of lack of food, especially during the summer months for kids on free and reduced meals. I spearheaded a Summer Food Program at walk-in locations in the neediest areas of the County nearly five years ago. This summer nearly 9,000 students will receive meals at 114

locations, including 10 walk-in locations, where children 18 and under can come in for a free meal.

I started out saying how do you legislate caring? These are just a few ways that we have to start thinking about how to link up families, children, and community to bring home the point that if we care about all kids we will find ways to eliminate problems at their root causes.

In a speech that the famous icon of the Civil Rights movement Ella Baker wrote, she speaks about what it means to be “radical” in order for us as a poor and oppressed people to become part of a society that is meaningful. She explains that the system under which we now exist has to be radically changed. This means that we are going to have to learn to think in radical terms. I use the term radical in its original meaning—getting down to and understanding the root cause.

It means facing a system that does not lend itself to your needs and devising means by which you change that system.

I hope that the time you are spending at this conference helps each of you to focus on how you will be radical about shaping the future in your own communities and creating the early interventions that are essential to keeping our children out of the system and on the path to success. Thank you for your time and attention today and enjoy the rest of the conference.